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Blowup over global warming

Air board director quits after governor fires her boss

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Gov. Arnold Schwarzenegger played the part of global warming hero on magazine covers this spring, but carrying out that role is now proving more difficult than it once seemed.

Minutes after the Republican governor described why he fired the state's respected leader of the agency responsible for overseeing greenhouse gas reductions, Democrats criticized Schwarzenegger for micromanaging and environmentalists questioned his motives.

The governor's recent actions left him without two leading officials at the California Air Resources Board -- Chairman Robert F. Sawyer and Executive Director Catherine Witherspoon, who quit Monday in response to Sawyer's firing last month.

Legislative leaders said the vacancies pose a significant threat to the 2006 law passed by Democrats and signed by Schwarzenegger to reduce greenhouse gases 25 percent by 2020 in California. Assembly Speaker Fabian Núñez, D-Los Angeles, scheduled an oversight hearing Friday to investigate the governor's reasons for firing Sawyer and examine the implications for California's global warming efforts.

"It seems like the tires are flat on the juggernaut," said Senate President Pro Tem Don Perata, D-Oakland. "These are cutting-edge things that (the governor) is trying to do, and arguably the two most important people responsible for implementing and enforcing that law are gone. ... I think this is a huge setback for the governor and his administration on an issue that he's been going around the world touting."

Sawyer's firing may have represented a collision between the governor's political

image and Sawyer's practical considerations as ARB chairman.

Schwarzenegger said the problem was that "the right hand doesn't know what the left hand is doing." He blamed Sawyer for the ARB's June 14 vote to support a waiver that would allow San Joaquin Valley polluters until 2024 to comply with federal Clean Air Act restrictions.

Sawyer, a retired University of California, Berkeley, professor, said he backed the delay because the pollution-control technologies needed to comply would not be available for on-road trucks until 2010 and not until 2014 for construction equipment. He said the technologies have a "turnover time" of 10 years.

But the governor has built his green image this year around fighting the federal government on environmental issues, attracting international media attention particularly for taking on the Bush administration. The governor has threatened to sue the U.S. Environmental Protection Agency for not giving California permission to set its own tailpipe emissions standards.

Schwarzenegger seemed particularly incensed Monday that Sawyer's vote didn't conform to his own political message. He tried to downplay the ARB departures as "stumbling blocks."

"And then we have an agency, the Air Resources Board, go out and say to the Bush administration: 'Hey, how about giving us an extension of 11 years?' " Schwarzenegger said. "It doesn't make any sense."

Yet environmentalists and Democrats say that the ARB chairman has always had a fair level of independence. They accused the governor of playing politics with Sawyer's chairmanship and trying to consolidate his power over how the 2006 greenhouse gas law, Assembly Bill 32, is implemented.

"The only reason (Sawyer and Witherspoon) are gone is because clearly the administration was tying their hands behind their backs in not allowing them to do the job that they needed to do in order to begin the implementation phase of AB 32," Núñez states in a recording released by the speaker's office.

Democrats remain disappointed with the low number of early actions by the ARB on greenhouse gas reduction. The board last month adopted only three steps, including the restriction of some refrigerants used in automobile air conditioners.

Witherspoon blamed the governor's aides for the lack of early actions. She also said Schwarzenegger's use of the San Joaquin example was a "cover-up" that allowed him to fire Sawyer for moving too aggressively against businesses on AB 32 regulations.

"I believe the governor cares deeply about air quality, but no one in his inner circle does," she said. "The day-to-day orders that we receive from the Governor's Office are to do less, to delay, to not burden industry."

But Schwarzenegger communications director Adam Mendelsohn said Witherspoon's accusations present the situation out of context. He said the governor was frustrated that the ARB did not act aggressively enough earlier this year to be in a position to approve more action items at last month's meeting.

The governor stepped further into the political fray when he said Monday that the next ARB chief must support a market-based system that allows companies to emit more greenhouse gases in California if they buy credits from clean firms elsewhere in the world. Schwarzenegger has signed agreements to link California to other states and nations under such a "cap-and-trade" system.

But Perata and Núñez expressed concern with the governor's use of that criterion as a prerequisite. Democrats assert that AB 32 never mandates cap-and-trade and includes it only as one option to be studied.

Environmentalists, who believe the governor needs to focus on strong restrictions before using cap-and-trade, also questioned Schwarzenegger's criteria. They see them as yet another sign of the governor's demand for control over the ARB rather than allowing it to act independently.

"I've never heard of a governor setting a standard like that, saying an ARB chair should have a certain position," said Bonnie Holmes-Gen, a lobbyist for the American Lung Association of California. "He should choose an ARB chair that will improve public health and air quality rather than requiring a position on a specific issue."

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